

United States Government

Department of Energy

Richland Operations Office

memorandum

DATE:

JUN 30 2005

REPLY TO

ATTN OF:

DEP:DSS/05-DEP-0015

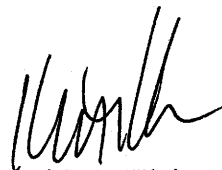
SUBJECT:

MEMORANDUM OF AGREEMENT

TO:

P. W. Kruger, Manager
Pacific Northwest Site Office

Please find attached a copy of the signed Memorandum of Agreement (MOA) between the Office of Science, Pacific Northwest Site Office (PNSO) and the Office of Environmental Management (EM), Richland Operations Office. As described in the MOA, line management authority and responsibility for safety oversight of Pacific Northwest National Laboratory operations conducted in EM owned facilities has been assigned to PNSO. The MOA will be incorporated into the RL Integrated Management System. Thank you and your staff for your efforts in developing the MOA.



Keith A. Klein
Manager

Attachment

cc w/attach:

P. M. Bubar, EM 3.2

RECEIVED

JUL 07 2005

**MEMORANDUM OF AGREEMENT
BETWEEN
THE OFFICE OF SCIENCE, PACIFIC NORTHWEST SITE OFFICE
AND
THE OFFICE OF ENVIRONMENTAL MANAGEMENT, RICHLAND OPERATIONS
OFFICE**

1. PURPOSE

This Memorandum of Agreement (MOA) is entered into in order to establish policy and procedures for the administration and oversight of the Pacific Northwest National Laboratory (PNNL) activities located on the Hanford Site, Richland, Washington, between the Office of Science (SC), Pacific Northwest Site Office (PNSO) and the Office of Environmental Management (EM), Richland Operations Office (RL). This MOA supersedes the previous MOA that was entered into July 12, 1999 between SC, EM, and RL.

2. AUTHORITY

- a. DOE Manual 411.1-1C, Safety Management Functions, Responsibilities and Authorities Manual, dated December 31, 2003.
- b. DOE Office of Environmental Management (EM) Functions, Responsibilities and Authorities (FRA) Document, dated March 31, 2004.
- c. DOE Action Memorandum, approved by Secretary Abraham on November 5, 2003, authorizing SC to establish Pacific Northwest Site Office.
- d. DOE Action Memorandum, approved by Secretary Abraham on January 5, 2004, authorizing SC to restructure organization and realign responsibilities.
- e. DOE Action Memorandum, approved by Secretary Abraham on August 26, 2004, assigning CSO responsibility for the PNNL Site to SC.

3. SCOPE

This MOA is entered into with the understanding that:

- a. SC is the Head of Contracting Activity (HCA) for the PNNL contract with Battelle Memorial Institute and has contract oversight responsibility to ensure contractor operations are conducted in a safe, secure and environmentally sound manner. SC is fully responsible for PNNL, a separate and distinct federal facility from the Hanford Site. SC has been designated the Cognizant Secretarial Office (CSO) for the PNNL Site.
- b. EM is the CSO for the Hanford Site and is responsible for ensuring all Hanford Site activities are performed safely. All Hanford buildings operated and occupied by PNNL are scheduled for deactivation, decommissioning, and final disposition in the near future. All DOE property accounting records associated with the Hanford buildings occupied by PNNL will remain the responsibility of RL.

1 Line Management is defined in the DOE FRAM as "...the Department organization that is responsible for safe operations of a facility or site and has a linear reporting relationship extending from the Secretary to the people in the facilities directly performing the Department's missions."

- c. The PNSO Manager is assigned line management¹ responsibility by the RL Manager, in accordance with the DOE FRAM and EM FRA Document, for oversight of those Hanford Site facilities occupied by the PNNL contractor. This responsibility will be exercised with support from RL as identified in Attachment A. This responsibility will be fulfilled in concert with the Administrative Contracting Officer (ACO) responsibilities assigned to the PNSO Manager by the SC HCA (see Figure 1 below).
- d. PNNL operation and occupancy of Hanford buildings is temporary. Priority will be placed on vacating these buildings and placing them in "cheap-to-keep" status as soon as alternative locations are identified. EM has established the dates that PNNL must vacate the 300 Area buildings to enable accomplishment of cleanup objectives (Attachment B). Lacking newly established dates, PNNL will vacate the 300 Area buildings no later than October 2009.

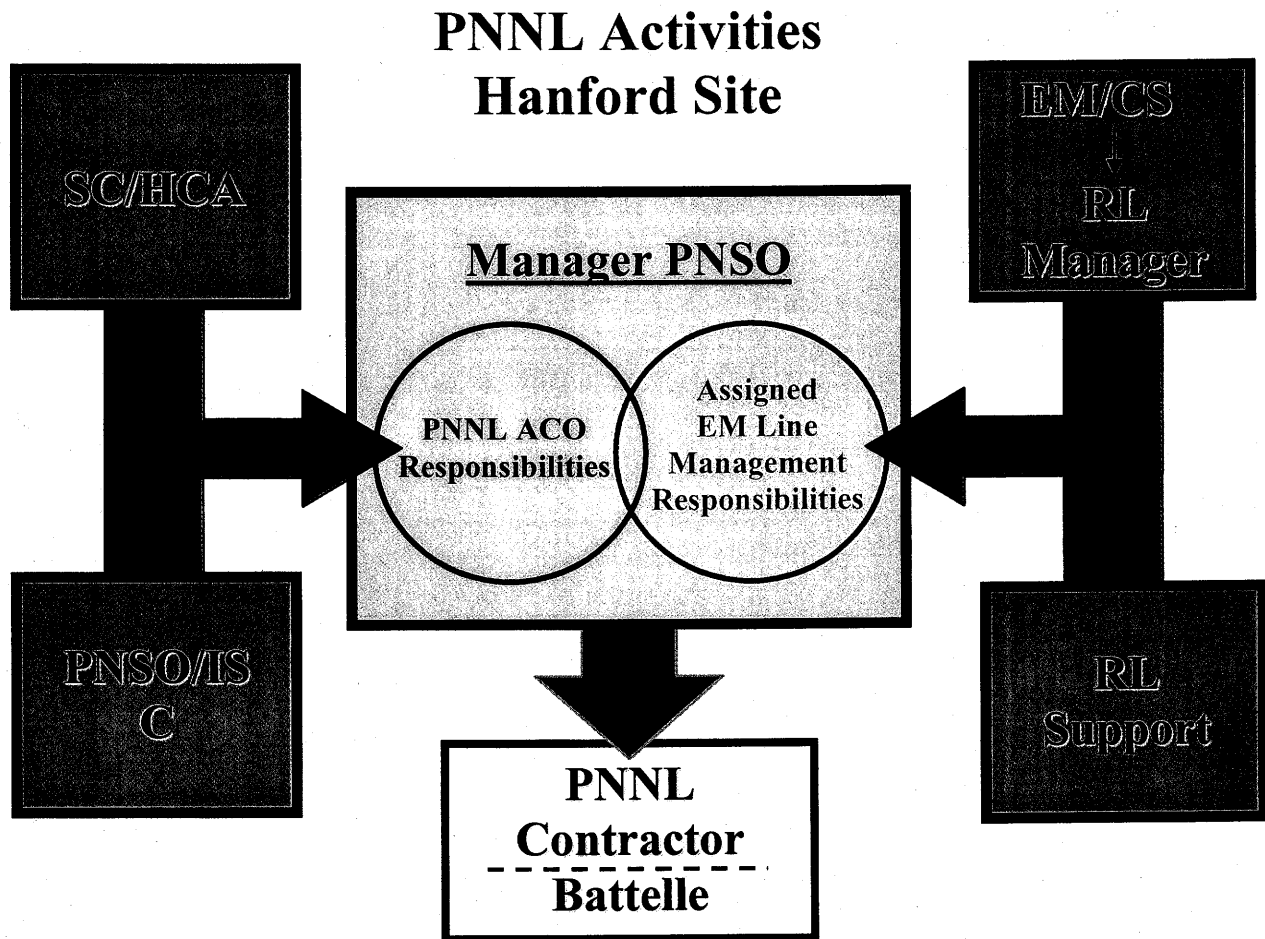


Figure 1

4. PROVISIONS

- a. The PNSO Manager is assigned line management¹ authority and responsibility for operations in PNNL occupied/EM owned facilities in support of the RL Manager.

¹ Line Management is defined in the DOE FRAM as "...the Department organization that is responsible for safe operations of a facility or site and has a linear reporting relationship extending from the Secretary to the people in the facilities directly performing the Department's missions."

- i) The PNSO Manager will report directly to the RL Manager regarding accomplishment of assigned responsibilities and any issues related to such.
 - ii) Day to day oversight of Contractor activities will be provided by PNSO staff. At the beginning of each fiscal year the PNSO Manager will provide the RL Manager a listing of formal surveillances and assessments to be conducted by RL staff on behalf of the PNSO Manager.
 - iii) The PNSO Manager will be responsible for ensuring proper reporting and approval processes are implemented (e.g., occurrence reporting and approval, injury/illness reporting, safety document approval, etc.). At the beginning of each fiscal year the PNSO Manager will provide, to the RL Manager, a listing of safety document approvals to be conducted by the RL staff on behalf of the PNSO Manager. Approval authorities currently identified in the RL FRA Document will remain in effect.
 - iv) Any unplanned activities requiring support from RL will be negotiated directly between the RL Manager and the PNSO Manager.
- b. As deemed appropriate by the PNSO Manager, PNSO activities on the Hanford Site will be in accordance with the Richland Integrated Management System (RIMS). An Integrated Team approach will be utilized in assuring DOE performance expectations are satisfied. RIMS will be modified as appropriate to reflect the responsibilities agreed to in this MOA.
- i) EM/RL will continue to establish the minimum safe surveillance and maintenance performance requirements for the Hanford buildings operated by PNNL through an Annual Work Plan (Current PNNL assignments provided in Attachment B). Performance requirements and expectations with respect to occupancy of Hanford buildings will be provided from the RL Manager to the PNNL contractor, with concurrence from the PNSO Manager.
 - ii) PNNL contractor will remain a co-operator on the Regulatory Permits associated with the PNNL operated EM facilities. PNNL will provide all necessary information requested by RL to meet regulatory reporting requirements.
 - iii) RL will provide all site services and infrastructure necessary to maintain safe and reliable building occupancy.
 - iv) PNSO resources will be utilized to the maximum extent capable to support this provision. Where PNSO resources are utilized for oversight, the PNSO will coordinate efforts with the RL subject matter experts, as appropriate.
- c. PNSO will provide contract administration oversight for the PNNL contract with BMI.
- i) All PNNL work conducted on the Hanford Site will be specifically authorized by the PNSO and will be evaluated for conformance to EM/RL performance expectations. The programmatic sponsor for such work, regardless of organizational affiliation, will retain responsibility for ensuring that the work is completed in a satisfactory manner that is consistent with the scope and funding provided.
 - ii) An appendix will be added to the PNNL Contract (Contract No. DE-AC06-76RL01830), which will specify the RL authorization, directives and requirements for PNNL operation of assigned Hanford buildings. The PNSO Manager will update the Appendix as necessary to ensure the authorizations, directives, and requirements are current and sufficient for safe facility operations.

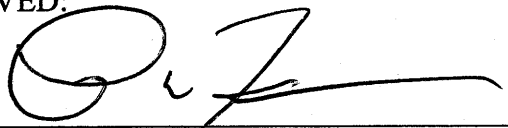
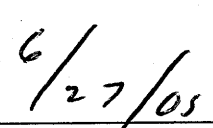
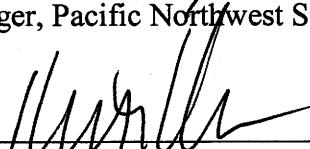
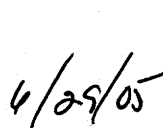
1 Line Management is defined in the DOE FRAM as "...the Department organization that is responsible for safe operations of a facility or site and has a linear reporting relationship extending from the Secretary to the people in the facilities directly performing the Department's missions."

- iii) PNNL will reimburse RL for all the additional Hanford operating costs (site services) resulting from S&T occupancy and operations in the Hanford building(s).
- iv) RL will provide funding to meet minimum safe surveillance and maintenance requirements for PNNL assigned facilities as noted in Attachment B.
- d. EM/RL will provide written notification to PNSO of the dates the buildings need to be vacated to enable accomplishment of the Hanford cleanup goals in accordance with the dates established by the Deputy Secretary (Attachment B).
 - i) To the maximum extent practicable the notification will be at least 2 years in advance of the vacancy date.
 - ii) PNNL will aggressively pursue consolidating and relocating activities currently located in Hanford buildings.
 - iii) RL will aggressively pursue the reassignment of vacant buildings and Hanford waste sites from PNNL to other Site Contractors.

5. EFFECTIVE DATE, CHANGE, TERMINATION:

This MOA shall be effective upon the signature of all parties and shall remain in effect until PNNL is no longer authorized to operate any Hanford Site buildings. The MOA may be modified or amended by the mutual agreement of the parties. The MOA will be reviewed by the PNSO Manager as needed and any necessary revisions will be submitted to the RL Manager for approval. Either party may terminate this MOA, provided that the other party receives 60 days written advance notice.

APPROVED:

	
Paul W. Kruger	Date
Manager, Pacific Northwest Site Office	
	
Keith A. Klein	Date
Manager, Richland Operations Office	

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Attachment A

PNNL Activities/Operations on Hanford Site DOE Integrated Team Responsibilities

This attachment identifies activities or services for which the PNSO Manager may require RL support to fulfill the line management oversight responsibilities for Hanford Site facilities occupied by PNNL. All other support will be provided by or through the PNSO. Exceptions to this table will be negotiated on a case-by-case basis with the RL Manager.

Functional Area	EM/RL
Safety Management Function ²	
Integrated Safety Management Program and Document Review	
Safety Basis Review (including SER, DSA, TSRs, and USQs)	X
Radiation Protection	
Accident Investigation	X
Beryllium Disease Prevention	
Quality Assurance	
Startup and Restart of Hanford Facilities	X
Radioactive Waste Management	
ES&H Reporting	
Civil Penalties/Enforcement (PAAA)	X
Lessons Learned	
Corrective Action Plan Verification	
Maintenance Implementation Plan Review	X
Worker Protection Review	
Explosives Safety Review	
NEPA Compliance	X
Conduct of Operations Matrix Review	X

² Detailed descriptions of the Safety Management Functions listed in this table are provided in the DOE FRAM under CSO roles and responsibilities.

Functional Area	EM/RL
Biological Agents	
Packaging and Transportation Safety Review	X
DNFSB Interface for Hanford Facilities	X
Training Implementation Plan	X
Requirements Management	X
325 Facility Safety System Oversight	X
Hanford Site Access	
Site Access Requirements	X
Facility Representative Qualification Program	X
Hanford General Employee Training	X
Hanford Site Services	
Emergency Management	X
Occurrence Notification Center	X
Emergency Operations Center	X
Hanford Patrol	X
Physical Security	X
Safeguards	X
Medical	X
Material Control and Accountability	X
Property Accounting	X
RCRA Permit	X
Air Operating Permit	X

² Detailed descriptions of the Safety Management Functions listed in this table are provided in the DOE FRAM under CSO roles and responsibilities.

Attachment B

The following provides a listing of Hanford Site facilities assigned to PNNL for occupancy and the dates the facilities will be vacated. All accountable property, materials and liabilities associated with and/or located in these facilities, except for the specific items transferred to the SC/OR financial records, is the responsibility of EM/RL. These facilities are contained in the Hanford Site Technical Database (HSTD) and most are noted in the PNNL FY05 Annual Work Plan for the PNNL Facilities Transition (PFT) project as destined for delayed release for disposition under the River Corridor Closure Contract (RCCC) scope of work.

The PFT project provides resources for the minimum surveillance, maintenance, and safe containment of radioactive materials in the surplus legacy facilities after PNNL operations cease and the facility is vacated. For select operating facilities (i.e. 325 building), where the PFT project is funding legacy removal and predeactivation activities concurrent with ongoing PNNL operations in support of other customers, the PFT project is funding surveillance and maintenance at the "minimum safe" level as if the building were unoccupied. The additional building management, surveillance and maintenance costs resulting from PNNL occupancy and operations are supplemented above the "minimum safe" level through overheads and/or direct charges to the various research programs in each facility ('user pays' model).

Major Facility/Building	Vacate Date
The following buildings are currently assigned to PNNL for surveillance and maintenance in the HSTD. The dates provided reflect delayed release to river corridor contractor or plateau cleanup planning assumptions.	
213J Storage Bldg. (Considered part of WIDS site 600-257) 325 Facility (325A, 325B, 325C, 325D, 325E) (Radiochemical Processing Laboratory)	currently vacant 9/30/2009
326 (Material Science Laboratory)	9/30/2009
329 (Chemical Sciences laboratory)	9/30/2009
331 Facility (331C, 331D, 331G, 331H, 331P) (Life Sciences Laboratory)	9/30/2009
300 LYS (300 area lysimeter plot - same as WIDS 600-63)	9/30/2005
350 Complex (350A, 350B, 350C, 350D) (Plant Operations and Maintenance Facility)	9/30/2009
3718P (Storage Building)	9/30/2009
3760 (Technical Library)	9/30/2009

6221NA (aka 100EMS; 100 Area Emergency Radiation Detection Station, ERDS1) (100 Area Environmental Monitoring Station - includes tower and bldg 6221A)	10/3/2022 Not RCCC
6223NA (aka 300EMS; 300 Area Emergency Radiation Detection Station, ERDS3) (300 Area Environmental Monitoring Station - includes tower and bldg 6223A)	10/3/2022 Not RCCC
6224NA (aka 400EMS; 400 Area Emergency Radiation Detection Station, ERDS4) (400 Area Environmental Monitoring Station - includes tower and bldg 6224A)	10/3/2022 Not RCCC
622R Facility (622A, 622B, 622C, 622S) (Meteorology Lab, Elevator Control Bldg, Pilot Balloon Release Bldg, Environmental Support Storage Bldg, 622S lysimeter)	10/3/2022 Not RCCC
336 (High Bay Testing Facility)	9/30/2009
338 (Maintenance Bldg)	9/30/2009 currently vacant
6652L NIKE Site (assigned to PNNL in FIMS)	Not RCCC
Misc radiological Facilities	
305B Hazardous Waste Storage Facility	9/30/2007
318 Facility (318B, 318C, MO026, MO226) (Radiological Calibrations Lab, HTLTR Stack, HTLTR Filter Facility, Mobile Office 318 Trailer 4)	9/30/2009
320 (Physical Sciences Lab)	9/30/2009
323 (Mechanical Properties Lab)	9/30/2009
3730 (Gamma Irradiation Facility)	9/30/2009

Major Facility / Waste Site Assigned to PNNL	Reassignment to RCCC
The HSTD lists the following waste sites assigned to PNNL for monitoring.	
325 Facility - 325 WTF (325 Waste Treatment Facility, 325 Hazardous Waste Treatment units)	9/30/2009
323 Facility 323 Tank 1, 321 Building Underground Waste Tanks, 321 Tank Farm #3 323 Tank 2, 321 Building Underground Waste Tanks, 321 Tank Farm #3 323 Tank 3, 321 Building Underground Waste Tanks, 321 Tank Farm #3 323 Tank 4, 321 Building Underground Waste Tanks, 321 Tank Farm #3	9/30/2009
100-IU-6 Operable Unit -	